

MINUTES

CITY PLAN COMMISSION/ARCHITECTURAL REVIEW BOARD

JANUARY 7, 2008

The City Plan Commission/Architectural Review Board of the City of Clayton, Missouri, met upon the above date at 5:30 p.m., Chairman Harold Sanger presiding. Upon roll call, the following responded:

Present

Harold Sanger, Chairman
Steve Lichtenfeld, Aldermanic Representative
Mike Schoedel, City Manager
Jim Liberman
Marc Lopata
Scott Wilson

Absent:

Debbie Igielnik

Also Present:

Catherine Powers, Director of Planning & Development Services
Jason Jaggi, Planner
Kevin O'Keefe, City Attorney

Chairman Sanger welcomed everyone to the meeting and asked that conversations not take place during the meeting and that all cell phone and pager ringers be turned off.

MINUTES

The minutes of the regular meeting of December 17th, 2007 were presented for approval. The minutes were approved, after having been previously distributed to each member.

SITE PLAN REVIEW/ARCHITECTURAL REVIEW - NEW CONSTRUCTION – SINGLE FAMILY RESIDENCE – 7631 WESTMORELAND

Chris McCurdy, owner/developer, Larry Wurm, civil engineer, and Dean Hunsicker, project architect, were in attendance at the meeting.

Catherine Powers explained that the project consists of the construction of a 2-story, approximately 27 feet in height, 4,100 square foot brick and stone single-family residence with a two-car below grade, side entry garage. The site measures approximately 8,155 square feet and is located in the Hanley Place Subdivision. The plans indicate that the existing impervious coverage is 2,972 square feet or approximately 36% of the site. The new plans show impervious

coverage at 4,175 square feet or 51% of the site. A storm sewer is not located near this property. To mitigate storm water, the applicant is proposing a dry swale in the rear yard which will collect runoff from a majority of the site. The dry swale concept is similar to a rain garden except that plantings are not included in the design. The plans show a low berm in the rear and an under drain to accommodate the storm water. Storm water from two downspouts will daylight in the front yard via pop up emitters. The Public Works Department has reviewed the plans for storm water mitigation and finds them acceptable if the berm is raised to 6-inches and the rear yard drain is shortened. Trash storage is located in an enclosure to the rear of the house and screened with a wood fence. The HVAC unit is shown on the site plan to be located in the rear yard and screened with a wood fence. The HVAC unit is 5-feet from the side property line. The applicant will remove 1 tree measuring 14 caliper inches. This tree will be replaced with 9 trees measuring 15 inches. The Public Works Department has indicated that the 24-inch street tree could be impacted by the construction of the driveway approach. If this tree is damaged by construction, the developer will need to replace the tree as required by the Public Works Department. Catherine indicated that staff is of the opinion that the storm water mitigation is sufficient and will minimize the impact to adjacent properties. The applicant will be required to provide a maintenance agreement with MSD for the dry swale. In addition, a revised site plan addressing the concerns of the Public Works Department associated with the dry swale will need to be submitted for staff review prior to the issuance of a building permit. Catherine stated that staff recommends approval of the site plan with the following conditions:

1. That the applicant file a maintenance agreement as required by MSD for the rear yard dry swale, and
2. That the applicant provide a revised site plan showing the height of the dry swale berm increased and the length of the rear yard storm drain reduced for staff review and approval prior to the issuance of a building permit, and
3. That the 24-inch street tree be protected during construction and if the tree is damaged by construction, the developer shall replace the tree as required by the Public Works Department.

Chairman Sanger advised the applicant that the first order of business is site plan review and that the architectural issues will be discussed later.

Mr. McCurdy presented the proposed site plan to the members, explaining that the majority of storm water will drain to the rear yard and will be stopped by a dry swale (Mr. McCurdy depicted the location of the dry swale on the site plan). He stated the home has a walk-out basement.

Jim Liberman asked for an explanation of the proposed dry swale; he asked if it is not a depression.

Mr. McCurdy indicated that the dry swale is designed to slow water drainage.

Jim Liberman asked if staff is recommending that the berm be raised 6”.

Catherine Powers replied “yes”. She stated that the dry swale is similar to a rain garden except that the dry swale has no plantings.

Chairman Sanger asked if there is a water run-off problem now.

Catherine Powers indicated that staff is not aware of a problem.

Mr. Wurm advised the members that the site plan was designed with assistance and guidance from City staff. He stated the dry swale is designed to retain water as it runs south to north.

Catherine Powers reminded the members that staff recommends that the berm behind the dry swale be raised 6" and that the drain pipe be shortened. She stated that once these items have been addressed, the Public Works Department will review the revised drainage plan.

Scott Wilson asked if there is a calculation to how much water the dry swale can collect.

Mr. Wurm replied "yes".

Chairman Sanger asked about maintenance of the dry swale.

Mr. Wurm stated that it is just cut with a lawn mower.

Marc Lopata asked what amount of storm water the dry swale can handle.

Mr. Wurm indicated that he does not know.

Jim Liberman voiced his concern that a vehicle may not be able to access the garage.

Mr. Wurm referred to the project architect.

Mr. Hunsicker stated that the garage doors are 6 feet beyond the overhang and that the area cannot be seen on the site plan.

Marc Lopata asked about the driveway turning radius.

Mr. Hunsicker stated he realizes it is tight, but that it is more generous than others in the neighborhood. He stated the garage doors are 10' wide.

Chairman Sanger asked if there is a turning radius minimum standard.

Catherine Powers replied "no". She stated that staff, too, was concerned about this situation, but that the turning radius being provided will not make accessibility impossible.

Steve Lichtenfeld asked the number of feet from the garage door to the retaining wall.

Mr. Hunsicker replied "15 to 16 feet".

Steve Lichtenfeld asked if consideration was given to moving the garage doors in further.

Scott Wilson asked if this is a spec house.

Mr. Hunsicker replied “yes”.

Chairman Sanger stated that the impervious coverage is at 51% now, so if the new owners believe the turning radius is too tight and decide to increase the pavement that could present a problem.

Catherine Powers stated that the idea is to minimize coverage, not maximize it.

Mr. Hunsicker commented that the coverage being proposed is 10% below their previous submittal (note that the previous proposal was never presented to the Plan Commission; it only went through the staff review process).

Steve Lichtenfeld asked if the MSD Maintenance Agreement would prevent the property owners from revising or removing the dry swale.

Catherine Powers replied “yes”. She added that the Agreement runs with the land.

Marc Lopata asked if the existing driveway apron will be removed and replaced with the same size.

Mr. Wurm replied “yes”.

Marc Lopata stated he is concerned this construction will kill the tree in the parkway.

Catherine Powers stated that staff is aware of that and that if the Commission feels that posting a bond would be appropriate, they can certainly make that a part of the motion.

Marc Lopata stated he would prefer not to vote at this time so more consideration can be given to the size of the storm detention area with the increased run-off and the driveway issue.

Scott Wilson asked if the proposal includes lowering the front grade by 14”.

Mr. Wurm replied “yes”. He stated that they worked with staff to provide a properly sized dry swale and that MSD also has to approve. He stated that a lot of time and effort has been put into this project.

Jim Liberman asked if staff knows how much shorter the drain pipe should be.

Catherine Powers indicated that the Public Works Director will make that determination.

Jim Liberman stated he agrees with Marc, especially in light of the fact that coverage is being increased to 51%.

Mr. Mel Disney, 7507 Westmoreland, commented that the exit way out of the basement bedroom encroaches into the swale that runs down the side of the structure. He stated he is sure that the City’s Building Official would discover this during construction plan review, but thought it

should be noted at this time. He stated that although the project is nice and well done, he is concerned with the overall size of the house. He noted that over a four year period, two houses within a close proximity to this property were denied due to their size (one proposed at 4,029 square feet and the other at 5,534 square feet).

Chairman Sanger commented that several concerns have been raised about this project. He stated he would like to know the difference between the standard turning radius area and the area being proposed. He asked if staff is comfortable with the drainage mitigation proposal.

Catherine Powers replied "yes"; provided the recommendations contained in staff's memorandum are complied with. She reminded the members that MSD also has to approve the drainage mitigation proposal.

Mr. Hunsicker advised the members that the turning area is 17' wide.

Steve Lichtenfeld commented that it is more like 16' wide.

Chairman Sanger asked if it would help if the garage doors were moved in a couple of feet.

Steve Lichtenfeld stated it would help with the turning radius, but would not change the coverage.

Marc Lopata reiterated Mr. Disney's comment that the basement egress window blocks $\frac{3}{4}$ of the swale and the swale will not function as drawn.

Jason Jaggi commented that scape wells are common, but agrees that it encroaches into the swale.

Marc Lopata stated that he would like to see that architectural graphic standards be met and that he would like to see confirmation that the dry swale will contain a 24-hour storm event. Marc moved to table this item for further consideration.

Chairman Sanger stated that the City cannot impose standards for which we, as a City, have not adopted.

Jim Liberman seconded Marc's motion, which received the following voice call vote: Ayes: Steve Lichtenfeld, Jim Liberman and Marc Lopata. Nays: Chairman Sanger, Mike Schoedel and Scott Wilson. Motion fails.

Mr. Hunsicker stated they are willing to move the garage doors in 3 feet.

Chairman Sanger indicated he would be happy if they moved the garage doors in a minimum of 2 feet.

Marc Lopata stated that the fact that the basement egress window covers $\frac{3}{4}$ of the swale will force water onto the neighbor's property.

Jason Jaggi stated that the downspouts could be piped and day lighted to the rear of the property.

Mr. Wurm stated they would like to keep it the way it is designed.

Mr. Disney stated that he does not believe the exit way from the basement and it's encroachment into the swale meets code.

A brief discussion took place regarding storm water drainage. Chairman Sanger stated the importance of avoiding water run-off onto a neighboring property.

Marc Lopata commented that the swale is steep; rising 1 foot in 2 ½ feet.

Mr. McCurdy asked if they could eliminate the window well and replace with a regular window.

Mike Schoedel advised Mr. McCurdy that if they do that, there cannot be a bedroom in the basement as a regular window would not meet egress code.

A brief discussion took place about continuing this item. Kevin O'Keefe advised the members that the previous motion (and subsequent vote) to table this item could be reconsidered, provided that one of the members who voted against the previous motion makes a new motion to table. Being no further questions or comments at this time, Mike Schoedel made a motion to table the site plan review portion of the project. The motion was seconded by Chairman Sanger and unanimously approved by the members.

Steve Lichtenfeld made a motion to table the architectural aspects of the project. The motion was seconded by Mike Schoedel and unanimously approved by the members.

Catherine Powers indicated that the next two items for consideration are for conditional use permits to operate businesses within the DeMun Pointe Project, located at 6435-51 Clayton Road.

CONDITIONAL USE PERMIT – RESTAURANT – SAN SAI JAPANESE GRILL – 6435-51 CLAYTON ROAD (DEMUN POINTE)

Mr. Chris Hudson, representing San Sai, was in attendance at the meeting.

Catherine Powers explained that San Sai Japanese Grill, to be located on the west end of the DeMun Pointe project, will be approximately 2,396 square feet in size and will accommodate 76 patrons in the dining area and another 25 customers on the patio facing University Lane. Parking will be available in the building's parking garage. The building owner has also secured 13 parking spaces across Clayton Road on Bellevue for employee parking. A liquor license will be requested. The proposed hours of operation are 11 a.m. until 9 p.m., seven days a week. Deliveries to the restaurant will be made to the rear building loading dock. The proposed restaurant will not offer a delivery service. Trash dumpsters are located in the rear of the building. The inclusion of a casual dining establishment will provide convenience to building residents and the general public. It is anticipated that there will be significant walk-in traffic from St. Mary's Hospital as well as the surrounding neighborhood. Catherine stated that staff's

recommendation is to recommend approval of the Conditional Use Permit to the Board of Aldermen with the condition that employees park in the parking spaces available on Bellevue Avenue. Catherine noted that the required parking per the City's Zoning Ordinance is being met and that an additional 13 spaces for employee parking is also being provided. She stated that since the restaurant is under 3,000 square feet, parking for customers is not required. She stated staff realizes that the building's garage parking spaces are not assigned, but believes that the majority of the spaces will be taken up by patrons of this establishment and that the next establishment, Snap Fitness, will be less parking intense.

Mr. Hudson distributed menus to the members and staff, stating that this is a "Bread Company meets Japanese..." type of restaurant. He stated that he believes most of their customers will arrive by foot.

Chairman Sanger asked if he can forecast the traffic generated by this restaurant.

Mr. Hudson stated that during peak period (between 11:30 and 1:30), he anticipates between 30 and 40 patrons per hour.

Chairman Sanger asked if they will be open for dinner.

Mr. Hudson replied "yes".

Chairman Sanger noted that when consideration by this Commission took place for the building itself and it was asked what type of retail/commercial business would occupy this building, we were told that information was not known. He stated that it is incumbent on us not to permit another Bread Company-like restaurant in terms of parking.

Mr. Hudson stated that he believes 30 to 40% of his clients will arrive by foot.

Steve Lichtenfeld asked that consideration be given to the number of seats being provided (76 plus 25).

Mr. Hudson stated at any one time, he may have up to 60 patrons.

Scott Wilson voiced his concern that they are only providing one restroom.

Mr. Hudson stated he believes that it meets Code.

Mr. David Harris, architect with Klitzing-Welsch Architects, stated that the County requires 1 water fixture for each 75 seats and does not consider exterior seating.

Catherine Powers advised the members that the City's Building Official has reviewed the plans and did not flag this as a concern/problem.

Steve Lichtenfeld asked the location of the loading dock and trash area.

Mr. Tyler Stephens, building/project architect, depicted the location of the loading dock and trash area on the site plan.

Steve Lichtenfeld asked if the loading dock takes up any of the 30 commercial parking spaces.

Mr. Stephens replied “no”.

Marc Lopata asked about recycling.

Mr. Stephens stated that recycling containers will be provided for each floor.

Marc Lopata asked about recycling for the commercial tenants.

Mr. Stephens stated that the commercial tenants will have to provide recycling on their own.

Marc Lopata asked about LEED Certification.

Mr. Stephens stated that 24 points are required for LEED Certification and that they have submitted for 25 points; recycling being one of them. He informed the members that one point of LEED Certification is that the project not provide any additional parking beyond what is required by the subject City’s Zoning Ordinance. He stated the project provides parking at 1:300 for the commercial space as required by the Zoning Ordinance and that the restaurant, at below 3,000 square feet, is not required to provide customer parking.

Marc Lopata commented that he believes most patrons will walk to the restaurant.

Ms. Mary Burrows, 6633 San Bonita, stated that they have been very concerned about this project since its inception and that when they originally voiced their concerns, they were assured that no restaurant would be permitted in this building. She stated the problem is that there is not enough on-site parking to support this establishment and that area parking is a concern. She stated she has waited up to 8 minutes for the traffic signal at Concordia/Clayton Road and that it is a bad idea to put a restaurant in this building due to the limited parking. She asked Mr. Stephens if the walkway is inside or outside the building.

Mr. Stephens stated that the pathway is within the garage.

Ms. Burrows asked if the parking spaces are covered.

Mr. Stephens replied “yes”.

Ms. Burrows stated that there are homes on the other side of the alley.

Mr. Stephens stated that the residential buildings north of the alley are apartments.

Chairman Sanger stated that the building has already been approved and its design is not up for review.

Ms. Burrows asked when trash will be picked up. She stated that one bathroom to service 100 people is incredible.

Chairman Sanger stated he believes Ms. Burrows' comment about a restaurant not occupying the building is incorrect. He stated it was not known at the time what type of commercial tenants would occupy the building and that he believes a lower volume restaurant will serve the neighborhood well.

Mr. Herm Smith, 6633 San Bonita, commented that if 60 people visit the restaurant at any given time with 2 patrons per car, then the 30 spaces are full.

Mr. Hudson reiterated that the projected 40% walk-in traffic could very well increase.

Mr. Smith stated he believes the problem hours will be 11:30 to 2 and during the evening.

Ms. Jean Cody, 7210 Arlington Drive, stated she speaks for Marty Schroeder as well who own property on Alamo Avenue and Clayton Road. She stated there is a parking issue here and when Mr. Hudson referred to his establishment as "Bread Company meets Japanese Grill", that was a poor choice of words. She stated she realizes this is a mixed-use building, but the commercial tenants (i.e. restaurants) should have been addressed when the project itself was considered. She stated that since these uses are conditional uses, then parking must be considered and does not believe that individuals from St. Mary's Hospital will walk across Clayton Road to eat at this establishment. She stated that people are now backing down the alley and that the trend of developing lot line to lot line will continue. She asked not to let all the parking spaces be used up by this restaurant.

Chairman Sanger stated that he agrees with most of what Ms. Cody stated except that he knows people walk across Clayton Road from the hospital to eat at Carl's Deli.

Ms. Gail Welsch, realtor, stated that this is a smaller sized restaurant and that there is parking available on Clayton Road.

Ms. Stephen Koehler, 6419 Clayton Road, stated that almost any given evening there is no available street parking for three blocks due to patron parking for Kaldi's and Jimmy's. He stated with regard to the alley, if he is driving west and a car is approaching heading east, one has to pull over in order for the other to pass. He stated that if this is approved, parking north of Clayton Road should be restricted to residential parking only. He stated that between 4 and 6 p.m., one cannot park on Clayton Road due to the lack of available parking spaces.

Chairman Sanger stated he is struggling with why the restaurant would be able to accommodate 100 patrons, yet Mr. Hudson is not anticipating full capacity; he questioned why not build to accommodate the number of patrons they are anticipating.

Mr. Hudson reiterated that he believes many of his customers will walk to the restaurant. He added that people do not linger at his restaurant.

Chairman Sanger noted that the 30 spaces available for the commercial tenants are not only for his use; there will be other commercial tenants in this building. He stated that although

there is parking on University Lane, this issue must be considered. He stated he would not object to residential only parking on the street.

Jim Liberman asked how much of his business is carry-out.

Mr. Hudson replied “30 to 40%”.

Jim Liberman questioned how the City can deny this application if it meets all the rules.

Marc Lopata agreed.

Chairman Sanger stated that the City also has a commitment to the neighborhood.

Marc Lopata commented that he believes this is a primarily lunch-time establishment and that he has never encountered a problem parking on DeMun. He stated he thinks this is a great idea.

Ms. Cody reiterated that this is a Conditional Use Permit.

Mike Schoedel asked their hours of operation.

Mr. Hudson replied “11 to 9”.

Ms. Burrows stated if they will be open until 9 p.m. then they anticipate a dinner crowd. She stated that this building is designed to accommodate five commercial/retail tenants

Marc Lopata asked if the LEED Certification is for core and shell or new construction.

Mr. Stephens indicated he believes it is for core and shell.

Marc Lopata asked if they are to provide tenant build-out.

Mr. Stephens replied “yes”. He stated that he agrees, for now, that the alley is too narrow and that there is not enough parking in the neighborhood, but the alley will be widened with the replacement of the older buildings with new structures.

Ms. Welsch stated the goal is for the retail/commercial tenants to compliment each other.

Ms. Cody stated the need to stray away from the Code when dealing with a conditional use (i.e. not a permitted use).

Ms. Joyce Armstrong, 6340 Alamo, stated there are not enough spaces to park and believes the biggest parking problem is in the evening when people arrive home from work. She stated they were told that this building would house small flower shops or something of the like that have little impact on traffic/parking.

Chairman Sanger stated that issue is not going to be re-visited. He stated this is clearly a lunch time venue. He asked about the exhaust system.

Mr. Hudson stated that the exhaust vent is over the patio area like at their Kirkwood location. He stated they have never received complaints and that their restaurant does not produce much smoke/odor.

Chairman Sanger asked about exhaust regulations.

Catherine Powers stated that the Building Official looks at the exhaust system during building permit review. She stated that the Commission may include in the motion that if odor is a problem, the owner must resolve the problem per City requirements.

Chairman Sanger stated that his only concern with this is the number of seats.

Being no further questions or comments, Marc Lopata made a motion to recommend approval of the Conditional Use Permit to the Board of Aldermen per staff recommendations and the condition that if smoke or odors becomes a nuisance, the property owner will be required to rectify the problem per City requirements. The motion was seconded by Steve Lichtenfeld and received unanimous approval of the members.

ARCHITECTURAL REVIEW BOARD – OUTDOOR DINING – SAN SAI JAPANESE GRILL – 6435 CLAYTON ROAD

Catherine Powers explained that the applicant is proposing to operate outdoor dining on the patio on west portion of the DeMun Pointe building. The outdoor dining patio is located entirely on private property. 25 seats at 11 tables are being requested in the outdoor dining area. Three of the tables will be round with three seats each and eight tables will be square with two seats each. The tables will be black titanium metal with plastic inserts. Red umbrellas are also being requested. Pedestrian barriers have not been defined on the application. Catherine indicated that staff believes the outdoor dining will be a positive addition to this section of Clayton Road; however, staff has not seen the proposed furniture and has a concern about the plastic insert and has asked that a chair be brought to the meeting. Staff's recommendation is to approve with the following conditions:

1. That the applicant receive an Outdoor Dining Permit prior to operating the outdoor dining area.
2. That the number of tables be limited to no more than 11 and chairs to no more than 25.
3. That the pedestrian barrier be depicted by material on the plans for staff review and approval; and
4. That no logos or advertising be located on the umbrellas.

Mr. Hudson presented a chair (metal/plastic) sample. He stated the tables are solid metal.

Ms. Cody asked about trash.

Mr. Hudson stated there will be several trash stations and that the containers are enclosed. He stated each station will hold 60-70 gallons of trash, with one station being located outside.

Catherine Powers reminded the members that an annual permit is required for outdoor dining, but that since this patio is completely on private property, year-round outdoor dining is allowed.

Jim Liberman asked if they would agree to place two containers outside.

Mr. Hudson replied “yes”.

Ms. Cody asked about exterior lighting.

Mr. Hudson stated that there is no exterior lighting for his space except for under the awnings

Mr. Stephens stated that the commercial space is all glass and as such, lit from the interior.

Marc Lopata stated that due to the location of the garage behind the retail, the back of the retail spaces will not be seen from the neighborhood to the north.

Chairman Sanger asked if the outdoor dining is on the west end.

Mr. Stephens replied “yes”.

Chairman Sanger commented that there should be no light spillage from the outdoor dining area.

Mr. Tom Wright, Opus Properties Development, indicated that four of the residential units have been sold, but the unit located above this restaurant space is still for sale. He stated they will disclose to potential purchasers that there will be a restaurant located underneath.

Being no further questions or comments, Mike Schoedel made a motion to approve the outdoor dining per staff recommendations. The motion was seconded by Scott Wilson and received unanimous approval of the members.

CONDITIONAL USE PERMIT – FITNESS CENTER/HEALTH CLUB – SNAP FITNESS – 6435 CLAYTON ROAD

Catherine Powers noted that this tenant will occupy space on the east end of DeMun Pointe. She explained that the business will occupy a portion of the first floor of the DeMun Pointe building. The tenant space measures approximately 2,605 and is located on the east end of the building. The proposed hours of operation are 24 hours a day, seven days a week. The business will consist of a reception area and a training area with machines and fitness equipment. The required nine (9) parking spaces are provided in the building’s garage. Signage has not been submitted. Standards for signage will be proposed for the entire building at a later date. Snap Fitness is franchise which offers bare bones work-out opportunities 24 hours a day. The application states that approximately 1% of their clients use the facility after 11 p.m. and before 5 a.m. during the hours the facility is not staffed. While panic buttons are provided, staff feels that the facility’s

location in a mixed-use building does not make it conducive to late night visitors and would therefore recommend the hours be reduced. Catherine indicated that staff recommends approval of the Conditional Use Permit to the Board of subject the following conditions:

1. That at least 9 parking spaces be available for use for the entire time the business occupies the location; and
2. That the hours of operation be limited to 5 a.m. to 11 p.m., seven days a week; and
3. That signage be approved by the City prior to installation.

Chairman Sanger asked how nine (9) parking spaces are being made available.

Catherine Powers indicated it is part of their lease.

Chairman Sanger asked what happens of the restaurant is taking up all 30 spaces.

Kevin O'Keefe stated the total parking is allocated to all the users.

Chairman Sanger stated there is no requirement for customer spaces since the restaurant is less than 3,000 square feet, but that this fitness center is to provide 9 spaces at 1 space/300 square feet. He asked if these 9 spaces are available, but not assigned.

Catherine Powers agreed.

Mr. Brad Carmody, owner of Snap Fitness which has been in business since 2004, stated they have existing locations in the Central West End and Oakville, with a total of 550 stores. He stated that 24 hour key-card access is provided to the members, but that the business is only staffed during peak hours (10 a.m. to 2 p.m., 4 p.m. to 8 p.m. and on weekends). He indicated that the interior lighting is on a timer and when the space is not being used/occupied, the lights will go out. He stated that security cameras will be installed.

Jim Liberman asked if parking for staff/trainers is being provided.

Catherine Powers replied "no".

Steve Lichtenfeld asked how many patrons they anticipate using the facility at any given time during peak hours.

Mr. Carmody indicated about 15.

Scott Wilson asked if he would consider reducing the operating hours to 5 a.m. to 11 p.m.

Mr. Carmody indicated that he would rather not. He stated he is sure he will have hospital workers from across the street as patrons and wants to be open 24 hours/day.

Mr. Stephens stated that he believes that many of the members will be residents of the building.

Marc Lopata asked about assigned parking.

Catherine Powers stated that assigned parking is generally not done in a mixed-use building.

Mr. Carmody advised the members that if he is not allowed to be open 24 hours, he will lose customers. He stated that out of the 550 stores, only six of them are not open at night.

Chairman Sanger asked if they could allow the 24 hour operation for a one year trial period.

Catherine Powers replied “yes”.

Chairman Sanger asked when residents will begin to move in.

Mr. Wright stated they hope to begin moving people in by early May.

Ms. Burrows reminded the members that the alley that is used to access the building’s garage backs to the bedrooms of the residences to the north.

Chairman Sanger stated he believes this establishment will generate low traffic mid-day.

Ms. Burrows asked the number of staff.

Mr. Carmody stated there is one manager on site from 11 a.m. to 2 p.m. and from 4 p.m. to 8 p.m. and varying trainers during varying hours.

Ms. Burrows stated she believes the City is making a huge mistake with regard to parking since these are only the first two businesses with three more to go. She stated that fitness center staff will take up two parking spaces.

Mike Schoedel commented that 2,605 square feet is not a large fitness center.

Mr. Stephens indicated that vehicular access to the retail/commercial spaces is not from the alley.

Mike Schoedel suggested allowing 24 hour/day operation for a one year trial period.

Being no further questions or comments, Jim Liberman made a motion to recommend approval of the Conditional Use Permit to the Board of Aldermen per staff recommendations and re-review of the 24 hour operating schedule in one year. The motion was seconded by Scott Wilson and unanimously approved by the members.

Note: Marc Lopata left the meeting (7:35 p.m.).

CONDITIONAL USE PERMIT – PACIUGO GELATO – 173 CARONDELET PLAZA (THE CRESCENT)

Mr. Peter Edison representing Paciugo Gelato was in attendance at the meeting.

Catherine Powers explained that Paciugo Gelato will occupy approximately 1,710 square feet and accommodate 48 patrons in the dining area. The proposed hours of operation are from 10:00 a.m. to midnight, seven days a week. Deliveries will be made to the rear of the building via the loading dock. The proposed restaurant will not offer delivery service. Trash dumpsters are located in the rear of the building. There is adequate parking in The Crescent garage for customers and employees. Signage will conform to the district signage for The Crescent development. Although outdoor dining is included in the application, it is not depicted on the plans and will not be approved as part of this request. Catherine stated that staff recommends approval of the Conditional Use Permit to the Board of Aldermen.

Chairman Sanger asked if there were any questions.

None were received.

Being no questions or comments, Steve Lichtenfeld made a motion to recommend approval of the Conditional Use Permit to the Board of Aldermen. The motion was seconded by Scott Wilson and received unanimous approval of the members.

ARCHITECTURAL REVIEW - ROOFTOP ANTENNAS – WASHINGTON UNIVERSITY
(MUDD RESIDENCE HALL) – 6515 WYDOWN BOULEVARD

Mr. Doug Dolan representing Verizon Wireless was in attendance at the meeting.

Catherine Powers explained that the applicant is proposing to install several antennas on the roof of Mudd Residence Hall. The antennas will be completely screened from view utilizing a fiberglass stealth material which will match the color and texture of the existing metal penthouse screen. The result will be the enlargement of the screen behind two of the arches on top of the building toward the middle of the roof. The mechanical equipment cabinet will be placed within a brick faced enclosure to match the adjacent HVAC enclosure. Two pine trees will be removed to accommodate the new equipment cabinet. Staff believes that due to the location of the antennas toward the center of the roof, that there will be very minimal difference in the visual appearance of the building. While the equipment cabinet faces Wydown Boulevard, it will be difficult to see given the existing berm and landscaping and therefore, staff recommends approval as submitted.

Scott Wilson asked Mr. Dolan if he had a sample of the stealth material.

Mr. Dolan replied “no”.

Scott Wilson asked if it is a rigid material.

Mr. Dolan replied “yes”.

Jim Liberman asked if the wall is 10’ high.

Mr. Dolan replied “yes”.

Jason Jaggi commented that there is a significant berm along Wydown and that the building is set far back on the property and heavily landscaped.

Mr. Dolan advised the members that representatives of Washington University have complained about poor cellular service on the campus. He stated these antennas will also serve Wydown and Big Bend Boulevards.

Elevation drawings were presented.

Mr. Dolan stated that the screening material will mimic the existing penthouse and that the screen wall will actually be lower than the building's architectural features.

Mike Schoedel asked if there is a generator.

Mr. Dolan replied "yes". He stated it does not run unless there is a power outage.

Jim Liberman asked if it is regularly tested.

Mr. Dolan replied "yes". He stated that it is tested once a week for 15 minutes at 11 a.m.

Mike Schoedel asked if additional carriers would be allowed.

Mr. Dolan replied "yes".

Being no further questions or comments, Steve Lichtenfeld made a motion to approve as submitted. The motion was seconded by Jim Liberman and unanimously approved by the members.

Chairman Sanger asked about the RJ York Project (N. Central).

Mike Schoedel indicated that City staff met with project representatives earlier today and a discussion with the Board of Aldermen will take place tomorrow.

Being no further business for the Plan Commission/Architectural Review Board, this meeting adjourned at 7:45 p.m.

Recording Secretary